## THAW URGED A DOUBLE SUICIDE

### Then Forgot About It, but Attempted It Himself Later On.

#### WIFE REPEATS HER STORY

And Undergoes a Severe Cross-**Examination by the District** Attorney.

decome Loses on Attempts to Keep Her Recital Both From the Public and From the Jury-His Objections, However, Keep Out Many Dramatic Details, Although He Himself Goes Into Them in Endeavoring to Trip Her Up Evelyn Thaw Has Some Trouble in Remembering What She Says She Told Thaw in Paris, but She Meets Jerome's tharge Gamely and Even Scores on Him-Chance of Early Ending of Trial.

Evelyn Nesbit Thaw told yesterday to a fury for the second time the story of her relations with Stanford White and Harry K. Thaw. District Attorney Jerome first made an attempt to have it kept from the public on the ground of its influence on the morality of the community, and then tried to have it kept from the jury, as bearing too remotely on the question of the insanity of Thaw when he killed White. He lost on both propositions. When it came his chance he did not spare young Mrs. Thaw on cross-examination.

Mrs. Thaw was on the stand the whole day. She finished telling most of her direct story at the morning session. In two essential details it differed from that of the first trial, and incidents and sidelights of her career were left out.

There may have been two reasons for this. Mr. Jerome stood in the front of the young woman all the time she was telling her story, and by objection after objection he fought against her getting any assistance from Mr. Littleton. At the same time Mr. Littleton did not think it necessary to bring into operation every little byplay adopted by Michael Delphin Delmas.

Mrs. Thaw said that shortly before she and Thaw went to Europe in 1904 he proposed that they both commit suicide. Many unpleasant stories were being told about him and he didn't see any good in living. He suggested that she should die with him and he picked out the Waldorf-Astoria at 3 o'clock in the afternoon as the time and place. To calm him and to ease his mind she agreed to do as he desired and soon after she insisted upon going to the theatre and apparently he forgot all about it.

But later, when they got to Paris, she said, he came to her one evening ghastly pale. He told her that "he had done it." and after several questions she got from him that he had taken laudanum. It was his New York idea that they should both die by taking laudanum and he had followed out this as to himself in Paris. He was a very sick young man for a time but the doctors brought him around.

These were the two new things in her story. The rest was a recital of how she met White, how he took her to his studio in the Madison Square tower and to two other studios, finally accomplishing her ruin. There was not the same wealth of detail of her first recital and practically nothing on her direct examination that would shock the moral sensibilities of any one.

The young woman appeared to have trouble in remembering her story. More than once she was irritable and petulant not only with Mr. Jerome but with Mr. Littleton. Stripped of the trimmings that Mr. Delmas insisted upon, her story lost most of its dramatic effect and the impression she made was not as strong as at the first trial.

A HARD CROSS-EXAMINATION

Mr. Jerome's cross-examination, which began shortly after the noon recess, was a hammer and tongs affair from the very From the very first question he asked he adopted a frank attitude of scepticism toward the witness. His tones were harsh and loud. Not infrequently he spoke with the accent of a sneer. Repeatedly he scolded when the witness did not make direct answers.

Shrewd as she is, Harry Thaw's wife was not slow to grasp the meaning of the District Attorney's attitude. At once she stiffened to meet the charge, she sat up straighter in the witness chair, her eyes flashed, she raised her voice and made it plain to every one who saw her that she realized that she was meeting an enemy. From that time on it was give and take between them.

Mr. Jerome was much worried last Friday lest any of "the revoking details" of backyn Thaw's testimony should reach the public through the newspapers. But apparently Mr Jerome is revolted only on Fridays. All the details over which on the direct examination, Mr. Littleton skimmed as lightly as he could Mr. Jerome had sted on hearing again to such an extent that he was reminded by Mr. Littleton on one occasion that it had been his suggestion that the details he was now ang out should be kept from the

appeared to be the general opinion that Mr. Jerome gained little by the course his cross-examination took. He did, however, succeed in marring somewhat the general effect of present girlishness which the witness had produced on direct examination. Despite her extremely youthful appearance she soon became, under Mr. lerome's merciless fire, an extremely clever, resourceful, self-contained young woman.

Several of her replies did not please the District Attorney at all. He used repeatadly a very ugly word to characterize the way she said Stanford White treated her and he used it again in asking her if she told Thaw about it.

"Yes." she answered indignantly, "I told him about it, but I did not use the language you use.

"What language did you use?" asked Mr. "I told him about other times I had been

"No," she said quickly, "Mr. Delmas said

that that would make him out too crazy, "Confine yourself to answering my

questions," cried Mr. Jerome. Young Mrs. Thaw was never in any apparent danger of breaking down and appeared quite as fully in command of herself at the end of the day as at its beginning. Mr. Jerome announced that it would probably take him nearly all of to-day to complete his cross-examination. From Justice Dowling's attitude yesterday it appears likely that all the names which the witness at the first trial was allowed to whisper to Mr. Jerome will have to come out and go on the record if Mr. Jerome insists upon knowing all about who was present at various meetings of White and Evelyn

Great hope is held out that the defence may close this week. Mr. Littleton's idea is to put on only two experts. It is possible that Mr. Jerome may not put on any experts at all and that his testimony in rebuttal may not take more than a day.

EVELYN THAW ENTERS SMILING.

smile was on young Mrs. Thaw's face when she came through the side door to the court room at the morning session, but it had disapeared when she got to the witness chair. She wore the same girlish blue dress with the wide white collar and the string tie, and the artificial violets in her hat nodded as she settled in her chair. The young woman faced a crowded court

room in which there were a few notables. The Rev. Dr. Charles F. Aked of the Fifth Avenue Baptist Church sat back of the jury box a few feet from the witness. He had preached to the jurors on Sunday, and when they filed to their seats he nodded to them. In the back of the room sat ex-Capt. Chapman, once czar of the Tenderloin, who got public notice when he raided the Seeley dinner. His whiskers are as luxuriant as ever.

Mr. Jerome renewed his application to have the court room cleared while Mrs. Thaw was telling her story. He cited the Hall case in Monroe county in 1900, when Justice Lambert held a private trial, even without the consent of the defendant's counsel, and was upheld by the higher courts. In addition, he said, Justice Dowling had taken practically a similar step when he excluded women, who have some rights as citizens, from this trial. Mr. Jerome spoke of the hearty concurrence of Mr. Littleton to the proposition on Friday, but when Mr Littleton was appealed to by Justice Dowling to say whether or not he was still of the same mind Mr. Littleton said that no matter what his personal opinion was he felt it his duty to leave the entire matter for the Court to decide without any suggestions from him.

Justice Dowling had his mind made up. The Constitution provided a public and speedy trial for the defendant, and whatever injury might be done to public morals ever injury might be done to public morals by spreading broadcast the story the young woman might tell it would be compen-sated for by the fact that the defendant had had a speedy and public trial. It was for the newspapers to decide what should be printed. The matter ended when Mr. be printed. The matter ended when Mr. Jerome called the attention of the Court to the fact that the Federal authorities had contemplated action at the last trial as the result of some reports that had been printed, and he added that he was sorry that he had not had from the defence the cooperation which he had been led to

expect.

Mrs. Thaw had been watching every move made by Mr. Jerome, now and then glancing at her husband. He paid no atguancing at her nusband. He paid no at-tention to her until Mr. Littleton told her to repeat what she had said to Thaw in Paris in 1903 when he had proposed mar-riage to her and she had refused him. JEROME OBJECTS IN VAINA

Jerome was on his feet at once with an objection. The story was too remote, he said. It was foolish and absurd to be-lieve that whatever she told Thaw at that time could have induced insanity three years later. Altogether it was a ridiculous proposition. He had endured the story for three years and then shot White, whom he had seen frequently after he had heard the story. There was nothing to bear out the contention of the defence that the story had any bearing on Thaw's insanity, if he

was insane.
It was a question of the weight of the evidence, Justice Dowling said, adding, "Objection overruled," and Evelyn Nesbit Thaw went on with her story.
She said she told Thaw how she had met

Stanford White when she was in the "Floro-Stanford White when she was in the "rioro-dora" company. A girl whose mother knew her mother got her to luncheon with Stanford White in a studio in West Twenty-fourth street. "Ne, not a studio," she said;

fourth street. "Ne, not a studio," she said;
"I should call it a place."
They rang the bell and a door opened.
White was there, but a little later another
man came in. Then the other man went
away. The room was hung with velvet
and pictures. White took them to the
room on the next floor, which was hung
with velvet and where there was a velvet room on the next floor, which was hung with velvet and where there was a velvet swing. Suspended from the ceiling was a Japanese parasot, and when the swing, propelled by White, hit the ceiling, their feet went through the parasol.

There was nothing to show that the place was a studio, she said, and after a time a hansom came to the door and took them for a ride through the park. The other

hansom came to the door and took them for a ride through the park. The other girl was going to have her teeth fixed and White told Evelyn that she should have her teeth looked after too. They took the ride and when they got home she told her

mother all about it.

The next time she saw White was when another girl in the show gave her a note from White asking her to luncheon in his studio in the Madison Square tower. There was a cab waiting for her outside of the Carino and she ware a cape which Mr White Casino and she wore a cape which Mr. White had given to her. There was another girl and a man at the luncheon and all "Mr. White would let me have was one glass of champagne." She had several other luncheons in the studio, at which the same persons were present, and she told Thaw that night in Paris all about the beautiful decorations of the studio.

HAS TO TELL STORY WITHOUT PROMPTING. The witness was not telling her story in the simple, unaffected, girlish way of the first trial. Her memory did not seem to be so good, and Mr. Littleton had to ask her a number of questions to bring out her story. The first real objection came from Mr. Jerome when she said that White sent her mother to Pittsburg and that he bought her dresses and paid her railroad fare. "because how could mother

go; she was too poor."
"I protest." said Mr. Jerome, "that this witness should tell her recollection of everything she told Thaw that night in Paris without being aided by the counsel for the defence. After she has told her entire recollection then the counsel may aid her with questions to refresh her recollection, but until then she should repeat all she remembers of tuat conversation. This is no ordinary witness. She testified at the first trial, and undoubtedly she has real over

her testimony since then."

Mr. Littleton said he should be allowed to examine Mrs. Thew as he would any other witness. But he was overruled by Justice Dowling, who said that she must tell her recollection of that conversation before any questions were asked.

"If the District Attorney urges the objection I will sustain it," said Justice Dowling.

ling.
"I urge it," said Mr. Jerome sharply

So Justice Dowling ruled that the young woman would have to tell first all she re-membered of having told Thaw that night Paris until her recollection had been exhausted. It was an effective piece of work on Mr. Jerome's part. After that the young woman's story halted. There were breaks in it. Her memory was pretty poor. At times she frowned and searched

"and he knew what that meant."

"Oh!" said Mr. Jerome.
On another occasion Mr. Jerome asked her if she had told at the first trial about Thaw's proposal that he and she should commit suicide at the Waldorf-Astoria.

"Out with Stanford White," she answered, for the thread of the story, but it was not there. She was miffed and a gleam of anger shot from the eyes. She was not regarding Mr. Jerome with the same child-ish stare that worked so well at the first trial. She left out many of the details of her story to the first jury—details that made it so dramatic and effective.

Mr. Jerome was constantly on the alert.

Mr. Jerome was constantly on the alert. Whenever the witness repeated what sounded like her impression of what had happened on a particular occasion, and not what she had told Thaw, Mr. Jerome

snapped out an objection.
"Move to strike it out." he would say.
"But that is what I told Mr. Thaw," the
young woman would reply petulantly, and
Mr. Jerome would slide into his seat. She said she told Thaw that when White sent her mother to Pittsburg she told her sent her mother to Pittsburg she told her that she must not go to any parties with any one except Mr. White. She went to his studio in East Twenty-second street and posed for a number of photographs. The costumes, including a kimona, were all provided, and she posed until she was very tired and then went home. Soon after that she got a note from White to come to a luncheon at the Twenty-fourth street place. When she got there the table was set for four and she was disappointed not to find

any one else there. White said the others had "turned him White said the others had "turned him down," and he would show her through the house, to rooms she had not seen before. She spoke of being led through a "secret stairway." which is not exactly the way it was described at the last trial, to the room with mirrors. She sat down at a table

SHOCKING DETAILS OMITTED

Then came the recital of the glass of wine which White told her to take and which tasted bitter. The next she knew she awoke with a drumming in her ears. She told none of the shocking details that fell from her lips at the first trial. The young woman lowered her head a bit, and in a painful and embarrassed manner told. n a painful and embarrassed manner told how she got dressed, she knew not how, and the next thing she realized she was in her room in the hotel.

in her room in the hotel.

She sat up all that night and the next day White came and saw her, but she did not speak to him. He kissed her dress and d her to look at him. She would not begged her to look at him. She would not and he told her not to worry, that "every-body did these things," and he made her promise not to tell her mother or to tell any one. She asked him about several persons at the theatre and he said that

persons at the theatre and he said that they did the same thing and that she should not worry and that she would be all right and happy if she only kept still.

At this part of the story Thaw, who had been shifting about in his chair, buried his eyes in a handkerchief which he had been holding in his hand all the morning.

They dury the handkerchief into his eyes. Thaw dug the handkerchief into his eyes, but when he removed it there was no sign that he had been crying. He was nervous and several times turned to Lawyer Peabody and spoke to him excitedly. Phere was a sickly pasty color to his face and it was a several that the helpsked worse than was remarked that he looked worse than at any time since the trial started.

at any time since the trial started.

Mr. Littleton had to admonish the witness again to tell the jury everything she told Thaw in Paris on that night. She said she described to him how the rooms in the Twenty-second and Twenty-fourth street places were furnished and how White had his studie in the tower fixed up. The had his studio in the tower fixed up. The young woman pulled at her gloves and frowned angrily as she told Mr. Littleton frowned angrily as she told Mr. Littleton that there were probably several things she had forgotten, as she and Thaw sat up all that night and he asked her many questions, and she told him everything she remembered. He paced up and down the room gnawing at his nails. He was wild eyed and "terribly upset," she said. Thaw asked her if she had told any one this story and she said she had not. He asked her to marry him and she refused. She could not marry him, she said, because of what had happened. It made no difference, he told her. He cared just as much for her and would always take care of her.

ence, he told her. He cared just as much for her and would always take care of her. He asked her what she was going to do, and she said she would go back on the stage. He told her she must not do that, and then he spoke to her about her mother. He wanted to know what her mother thought of Stanford White and whether he saw her often. She said that her mother thought that White was "a nice man," and that he often called on her. Another man, a friend of White's, called on her mother and sent her flowers.

THAW AMUSED. Thaw still held the handkerchief in his hand, but now he was using it for another purpose. When his wife said that he told her that he would always take care of her he smiled and then covered his face to conceal it. Again when Mrs. Thaw reconceal it. Again when Mrs. Thaw referred to her mother and the visits from White he was amused, and when he removed the handkerchief from his face all traces of the smile had not disappeared.

After that, while in Paris, Thaw talked

to er a great deal about marrying. She told him she could not do it, that his family would object. Then he would bite his nails until they bled. He was very nervous and excitable. She said she would return to the stage, and he insisted that it was not the place for her. Life wasn't worth living if she didn't marry him, he told her, but she kept on telling him that she couldn't be his wife. He would sit for hours without speaking and frequently he would have peculiar fits of sobbing. At other times he would lay face downward er a great deal about marrying other times he would lay face downward and sob and sob for no apparent reason.

"Now, did you tell Thaw of your early life until you met Stanford White?" asked Mr. Littleton.

"I did," she said.
"Tell you what you told him." said Mr.

"I did." she said.
"Tell us what you told him." said Mr.

That was Mr. Littleton's way of getting before the jury the early history of the young woman, which Mr. Jerome had sucyoung woman, which Mr. Jerome had succeeded in shutting out by technical objections when she began her testimony on Friday. Mr. Jerome interposed another objection, saying that the early life of the witness was not material, and at first Justice Dowling was inclined to the view that there was no need of hearing anything about the young woman until she met

But Mr. Littleton protested that he wanted to show the effect the story had on Thaw's mind, that he believed it and had faith in it, and believing that it was a true story it had affected his mind. This appealed to Justice Dowling, who let the young woman tell what she said she had told Thaw about her early life. He asked Mr. Littleton to "shorten it," which Mr. Littleton so is the most of the story with he would do it."

on said he would do. The young woman said that her father who had been a lawyer in Pittsburg, died, and her mother had to go to court a good deal, as there was some trouble about her father's will. After a while their money gave out and they had a great deal of trouble, her mother having to rent furnished rooms. After that they moved from Allegheny to Philadelphia, where she posed for artists. Mr. Jerome objected to her telling how she came to go on the stage, but Justice Dowling said there was no objection to it if she made it short. She said: "I told Mr. Thaw that we were fright-

poor: that we lived in one room, my brother, my mother and myself; and we did not have enough to eat part of the time; we lived on crackers and sometimes we had crackers in the morning. It was wery hard for me to keep the three of us on the money I earned at the studios, and that if I wen; on the stage it meant just that much more."

She was very ambitious and surely thought that some day she would be a great actress. First she went into the chorus, then she became a dancer, getting \$5 a week more. "And we got along fairly well." she seid. "I posed in the morning and worked in the sheatre at night." Her mother accompanied her to and from the theatre until she met Stanford White.

STORIES SHE HEARD ABOUT TRAW. The first time she saw Thaw after they back from Europe he came to her other than the said that she was very foolish

him, and he selfd that she was very foolish and that she was being fooled.

She had several conversations with Thaw in November and December, 1903. One day he walked into her room at the Hotel Navarre and said "Poor little Evelyn," adding he was sorry for her. She told him that she had seen Stanfor! White and he went away saving that he had always been her friend and that he would hever do anything to hurt her. She saw Thaw on the street and in a restaurant after that and she told him about White taking her to Abe Hummel's office. She said that she told Thaw that friends of Stanford

White had come to her and told her wild | he went to Monte Carlo and improved.

White had come to her and told her wild tales about Thaw taking some girl and putting her in a bathtub and running scalding water on her.

"They said he took morphine, also," she said, "and they frightened me. He said it was not so; that if he had taken morphine surely I would know about it. And I asked him if he had taken cocaine, because some of them said he did, and he said no. And come to think of it, there because some of them said he did, and he said no. And, come to think of it, there were no signs of it, as I had taken morphine when I was sick and it made me sleep."
"Did you tell Thaw anything they said about his mental condition?" asked Mr.

She said that she told Thaw that she had seen Stanford White, who was in a cab, and that he had telephoned to her. He told her that he had a very important matter to talk over with her about her

"I said I did not care to see him," she said. "He said that he must see me. I asked him if my mother was ill and he said 'I cannot tell you over the telephone, I have got to see you." got to see you.

White went to the Savoy Hotel where she was stopping and told her that her mother's illness was imaginary. Friends in the chorus had told him that she had been

the chorus had told him that she had been in Europe with Thaw and he asked her why she had done that.

"He said immediately that Harry was a morphine fiend," she said. "I said I didn't know he was, and he repeated that he was. He talked about Harry Thaw just the way all his friends did.

"Move that the last he stricken out." said. 'Move that the last be stricken out," said

Mr. Jerome.

"Granted." said Justice Dowling.

"I told Harry Thaw," said the witness, leaning forward and showing that she was not in good humor, "that Stanford White told me that he took morphine, that he was orazy, that he was a lunatic, that it was a very dangerous thing for me to be travelling with him, that he was leaving me in the gutter, that I ought to be protected, that something ought to be done.

HER VISIT TO HUMMEL'S OFFICE. She described her visit to Hummel's fice and how he showed her the pictures of actresses and asked her all about her of actresses and asked her all about her trip to Europe. A stenographer made a note of the places where she had been. She took some of Thaw's letters to Hum-mel, about a dozen of them, told him about Thaw proposing to her and he suggested that she sue Thaw for breach of promise. She said she would not do it, and Hummel seemed quite angry with her. Hummel told her how he had sued rich men for actresses, how he always won, "how he got money from So and So for So and So" and talked about the divorces he had

btained. When she told Thaw all this he asked her "how she could sit in a chair and talk to a man like Hummel." She said she didn't know anything about Hummel, and White had told her that "he was the smartest lawyer in New York." She said she didn't sign any paper in Hummel's office, but she signed a paper for White in the tower. She said that she had signed several papers for White without looking to see what they were about. Thaw thought there was something suspicious about the whole thing and told her so.

Then she went over the old story of how she tried to get from White the paper she had signed. He said it was among his private papers and Hummel had them at his office. She said she would go to Hummel's office, and when she got there White was there. They took her into Hummel's private office and Hummel took a paper from wate once and fallimet took a paper from his safe. He showed her her signature, she looked at it, reached for the paper and they burned it in a big jardinière. The next she heard of the paper was at the

Thaw told her that White's friends were

ystematically circulating stories about him pouring scalding water on a girl and tying another to a bed post and whipping her. All this time Thaw was very much depressed and had sobbing fits. He talked a great deal about Stanford White, but his conversation was disconnected, and he would sit for hours gnawing at his nails. There was one occasion of marked depres-sion and that was when they were at the

sion and that was when they were at the Grand Hotel shortly before they sailed for Europe in 1904. This was the young woman's description of it:

"One afternoon in the Grand Hotel he said that my life had been ruined, that his life had been ruined and that White was constantly and his friends were constantly reculating unpleasant stories about him and hurting him in every way possible. and so many things happened that there was no use living, and he was going to commit suicide, and he did not see why I should live either. I did not know what to do; he was in quite a wild state; and I asked him what he was going to do, and be said he thought he would take laudanum. aid he thought he would take laudanum and he said he thought I ought to too it together; and that we could both take he fixed the time and date and everything; he wanted me to go to the Waldorf with him and get some rooms at the Waldorf, and then at half past 3 that afternoon we would both take laudanum. That was his

Those who had heard all the testimony at the first trial sat up and took notice Here was something entirely new.

"What reply did you make to his suggestion?" asked Mr. I ittleton.
"I was as quiet with him as I could be," she said. "He was very wild and excited, and I was very much frightened and I agreed with him in everything he said. I thought it was the best thing to do." hought it was the best thing to do. Q. After that, what, if anything, did you o to take him away from that subject? A.

Why, I insisted upon going to the theatre. I thought that was the best thing to do, going ut to dinner and the theatre, to make him

forget it Q Did the subject come up again? A

Yes, it came up later. In this country? A. No. How soon after that proposal did you go to Europe? A. We went to Europe shortly

after that Q. This revival of the proposal that was nade in the Grand Hotel did not take place until you had been to Monte Carlo and back. did it? A Oh. no: it took place in Paris

just before we went to Monte Carlo. TOOK LAUDANUM IN PARIS Q. How was the subject brought up again, and what occurred in connection with it? A Why, we had dinner in the sitting room, and after the dinner Mr. Thaw went into his room; and he came back with his face deathly white, like chalk; and he said, "I have done it, it is all over now." I said, "What do you mean?" He said, "It is all over, everything is all over. I have done it." I said, "What do you mean?" He said, "I have taken a bottle of laudanum." I did not believe him. I said, "Are you telling the truth, or are you trying to scare me, or what: have you done anything?" He said, "Yes, I have. If you do not believe it you can go into the table beside my bed and see." His face kept getting whiter every minute, and his eyes were like glass and I ran into his room, and on a little table by the bed I found a bottle that had just been emptied, and I know the smell of laudanum from having it put in my teeth for toothache and this bottle said laudanum on it, and it was empty; it was a bottle about so high indicating with her gloved hand). I picked the bottle up, smelled it, looked at it, read what was on the label, and I ran back to him and for a minute I did not know what to do and then I ran to the telephone, and I tried to get hold of this man who was with us, who was travelling with us; he was in the hotel he had a room right down the corridor, but I could not get him; I could not speak enough French and try to locate him; and I got a bellboy, I got hold of a bellboy to get a doctor and made him understande that I must have doctor quick; and he got a doctor in a very short time. Meanwhile Mr. Thaw had been violently sick, violently ill at the stomach in the bathroom, and lost all this landanum: and he went in his room, he was very sick, and he lay on the bed there, and he was there when the doctor came, and his face was still it was livid, it was a very greenish white, and his eyes staring up at the ceiling, and when the doctor came to him he talked in French to the doctor: I could not understand every-thing they said, but the doctor talked with im a great deal: I guess the doctor was there half an hour.

The young woman - as very animated as she told this. Her face became flushed and she gesticulated, now and then turning to Mr. Jerome with appealing eyes. She said Thaw was very sick after that, but

he went to Monte Carle and improved.
They spent the summer in Europe.
"And you and Mr. Thaw lived together?"
said Mr. Littleton.
"Yes," she replied.
When they returned from Europe in
the fall Thaw renewed his proposals of
marriage and finally his mother came
from Pittshurg, they talked on the subject. marriage and finally his mother came from Pittsburg, they talked on the subject and a date was fixed for the wedding. The wedding took place in Pittsburg at the home of Thaw's mother, who was present. Thaw and his wife returned to New York perhaps two weeks before White was killed. They had planned to go on the same steamer with his mother, but couldn't get accommodations. Thaw's mother sailed shortly before White was killed.

modations. Thaw's mother sailed shortly before White was killed.

Then Mr. Littleton got to the day White was shot. They rode down Fifth avenue in the evening, intending to dipe at Sherry's, but they met Thomas McCaleb, who was not in evening clothes, and they went to Martin's. She described how they sat at the table in the large dining room near the Fifth avenue side, at the Twenty-sixth Fifth avenue side, at the Twenty-sixth street corner. She sat with her back to the Fifth avenue side and Thaw faced her. She saw White come in not long after they sat down. She had a fit of trembling, which Thaw noticed, and she thought she had better tell him. The waiter gave her a pencil and McCaleb handed her "just a tiny little slip of raper." Then she wrote the message, and when she got to that point he message, and when she got to that point

JEROME LATE IN THE APTERNOON Mr. Jerome was a few minutes late in getting to court in the afternoon, being getting to court in the aiternoon, being detained by an appearance before the Grand Jury. Long before he arrived the court room was crowded. As in the morning, Josiah Thaw was the only member of the Thaw family present among the spectators. William D. Haywood, formerly treasurer of the Western Federation of Miners, whom an Idaho jury acquitted last summer of the murder of ex-Gov. Frank Steumenberg, spent half an hour Frank Steunenberg, spent half an hour in the court room in the course of the after

in the court room in the course of the afternoon. County Judge Norman S. Dike occupied a seat on the bench beside Justice
Dowling during a part of the session.

Mr. Littleton completed the direct examination in short order. He first asked
the witness about the note which she passed
to Thaw at the Café Martin. She said it
read: "The B—— was here a minute ago,
but went out." She said that the blank
stood for blackguard. Thaw never spoke
of White in any other way, she added.
She went on to tell of walking over to
Madison Square Garden with Thaw, Thomas Madison Square Garden with Thaw, Thomas McCaleb and Truxtun Beale and of meeting Capt. Wharton on the roof. She describe shooting much as she did at the first.

As she was going out with McCaleby missed Thaw. She turned around saw him going toward where White Then she saw the three shots fired saw Thaw raise the pistol over his head and saw him arrested. She said to Thaw. "Good God! Harry, what have you done!" Then he kissed her and replied: "It's all right, dearie, I have probably saved your life." Then she added quickly:
"I didn't go down in the elevator with didn't go down in the elevator Thaw, as Mr. Garven said I did."

JEROME BEGINS HIS ATTACK. "What's that?" asked Mr. Jerome has Mrs. Thaw repeated her statement and the District Attorney grinned behind his hand. The direct examination ended a mome later and Mr. Jerome swung his club flercely

his very first question You were more than 16 years old when you say Stanford White accomplished your ruin?" he asked harshly. "Yes." said the witness.

"And Mr. White told you after he had ruined you with the aid of drugs that all women did that sort of thing?" "Yes." "And you believed him?" "Yes." "And you were over 16 years old?" "I "And you had posed at different studios?"

"And had been a member of the 'Floro-dora' company?" "Yes, two months."
"And your relations with White were repeated six or seven times?" "Yes." "And always he overcame you against your will?" "Yes, he did."

"But you kept on going to the West Twenty-fourth street studio with him and to the East Twenty-second street house?"
"Yes."

"But why did you go if it was against your will?" "What else could I do? I always cried. I cried all the time." Mr. Jerome demanded if when she re-fused Thaw in Paris in 1903 she still believed what White had told her about all women being unchaste. She said that was hard to answer. She was two years older then, nearly, and she had been taken off the stage and had seen a good deal of a different sort of people. She had to answer some extremaly embarrassing questions after that, but she answered them promptly and with more than a touch of defiance. She admitted that she travelled about Europe with Thaw as his mistress. She refused Thaw because she didn't think it would be right

to marry him.
"Why not?" demanded Mr. Jerome.
"Because." she replied, "I had to tell him about Stanford White."

"But you said you thought you had done nothing but what all women did."
"Well, I didn't know exactly, but I felt it wouldn't be right for me to marry him."
"You felt yourself degraded?"
"Yes, I did."

"Yes, I did."

"But you felt that you hadn't done anything but what all women did, you say?"

"Well. I don't know exactly about that. But somehow I felt that it would be wrong for me to marry Mr. Thaw."

Mr. Jerome harped on this subject for some time, but the most he could get out of the witness was that she instinctively felt that it would be an evil thing for her to accept Thaw after what had taken place between her and White. Her only reason was that she felt herself unworthy of Thaw. At one time the witness appealed to Justice Dowling to know if she must answer one of the embarrassing questions without qualithe embarrassing questions without quali-

Yes," said Justice Dowling, "if you can, and she answered it without further ado.

By this time it was perfectly plain that
the witness knew she was in for a grilling. She spoke in a clear, firm voice and her answers sometimes came too quickly to suit Mr. Littleton. Several times he interrupted with objections and twice asked that the questions be read aloud for his benefit, apparently with the object of giving the witness time to pull herself together. But she didn't need his consideration and continued all afternoon to show that she was capable of taking care of herself.

About this time Mr. Jerome took up the record of the former trial and used it from then on in forming his questions. She spoke in a clear, firm voice and her an-

from then on in forming his questions. Mr. Littleton objected that Mr. Jerome was cross-examining the witness on the testimony that she gave at the former trial, but the District Attorney said he was merely using the record to aid him in his present questions and Justice Dowling said that for that purpose he could read from any-thing he pleased.

Mr. Jerome jumped back to the early days of her acquaintance with Stanford White and wanted to know how many times she went out with him before her ruin was accomplished. Mr. Littleton objected and

this time was sustained.

"Well," went on the District Attorney,
"have you told all that you can recollect
having told at the first trial?" The witness said she had. said she had.

"Did you tell Harry Thaw in Paris that time that the champagne White gave you the night of your ruin tasted bitter?"

"Yes," said the witness, "I said I didn't like it?"

"Did you tell him about all your relations with White?"

"I positively did." retorted the witness with a touch of anger that showed that she felt the sting of the questions. THE WITNESS SCORES ON JEBOME. Mr. Jerome went on mercileasly to ask about each single occasion in which she "went out" with White, to use the expression that the witness employed. The expression that a.r. Jerome employed was much less

"well," said Mr. Jerome finally, still moloying the same frank phrase, "did you tell Thaw abo t all these times: "I did," said young ars. Thaw promptly, "but I didn't use the lang age you use. I told him about all the times I went out with Stanford White and he knew what that

A smile went around the court room It was the general opinion that the witness had the better of this round. The witness said she never told her mother of any of these things. "Mr. Thaw asked me if I cared about Stanford White," she said. "if I was in love with him, and I

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"Did he ever ask you why you went with

"Ind ne ever ask you why you went with White?"

"No, he never did."

"Well, why did you go with him?"

"Because I didn't know what else to do."

"Why did you go to Europe with Thaw?"

"Because I was in love with him. I didn't are how I could get along without him and

see how I could get along without him and still I didn't think I ought to marry him."

still I didn't think I ought to marry him."

The District Attorney took the witness all over the route they followed in their journeys to the cathedral towns and asked her if they were registered at hotels as man and wife.

"I don't know," she said, "I never saw the registers." She said that she never heard of the name of Dellis, which, it has been testified, was the name under which Thaw registered.

Mr. Jerome took a sudden jump all the way from Europe to the Café Mr rin, where the Thaw party dined the night Thaw killed White. The witness testified at the first trial that she sat facing the Twenty-sixth street entrance and Mr. Jerome asked how, if that was so, she could have seen White leave the restaurant by the Fifth now, if that was so, she could have seen White leave the restaurant by the Fifth

"Because," said the witness quickly,
"to face the Twenty-sixth street entrance
you did not face Twenty-sixth street. you did not face Twenty-sixth street.
The entrance makes a turn and to face it you have to face Broadway. I'm right, I know I'm right," she added easerly. And right she certainly was. The District Attorney did not pursue the subject further. Instead he jumped back across the Atlantic to the night when Miss Nesbit first refused to make the subject was and saked. first refused to marry Thaw, and asked if she then told Thaw that White never would let her have but one glass of cham-

"Yes. I did, and that was true in front of other people. If there was nobody else there he didn't care how much I drank."
Mr. Jerome quoted from her testimony about a party in White's apartments in Madison Square tower, dwelling upon her statement about having chocolate eclaires to eat and how White referred to her as

"this little girl."
"Did you tell Thaw that the rarties in the tower behaved properly?" asked Mr. Jerome.
Mrs. Thaw wrinkled her brows in apparent perplexity.
"I don't understand you," she said in

puzzled way. "Parties behaved properly? Maybe you mean the people at the parties?" Mr. Jerome had not a meant the parties?" Mr. Jerome had not a word to say. He passed the inquiry up and went on to the testimony the witness had given at the morning session about Thaw's proposal that they should commit suicide together at the Waldorf-Astoria. He wanted to know why she hado't said anything about

know why she hadn't said anything about that at the first trial. The witness blamed it all on Mr. Delmas. Mr. Jerome wasn't anxious to hear more, but before he could stop her she had said that she didn't mention the suicide affair at the first trial because Mr. Delmas thought it would make Thaw seem too crazy. There was a general hum of amused interest at

Next came a rather complicated question, n reply to which Thaw's wife said sharply: I don't understand what you mean. I'm rying to find out what you mean, and won't answer you until I do find out."

GETTING IN THE REVOLTING DETAILS. "Nobody wants you to answer unless you understand," said the prosecutor. He then reverted to the occasion of Evelyn Nesbit's alleged ruin by White and read long extracts from her former testimony about it, inquiring at the end of each extract if this inquiring at the end of each extract it the testimony was true. He was interrupted in the process of placing on the record the details which he himself described on Friday as "revolting" by Mr. Littleton, who said:
"I wish to remind the District Attorney that he has pretended to be solicitous to keep all the revolting details from the public and that he is now going out of his

way to bring them out."

Mr. Jerome went right along on the course he had laid out. A little later Mr. Littleton interrupted again to say:
"The District Attorney is deliberately trying to discredit by the tone of his voice what he cannot discredit in any other way."
The objection accomplished nothing and
Mr. Jerome continued to read from the Mr. Jerome continued to read from the record with what emphasis he thought best. His emphasis frequently conveyed unmistakably imputations of false witness. "This story which, you, as you say, told Thaw,"

ne would say.

About that time a brief recess was ordered for fresh air and after that the Grand Jury came in and handed up a presentment dealing with the general subject of alleged infractions of financial law by financiers high in local banking institutions. Their duty done, most of them remained to hear the rest of young Mrs. Thaw's testimony.
Mr. Jerome first was curious to know

### L CARL H. SCHULTZ'S ARTIFICIAL VICHY SELTERS &C.

of learning anything from other persons about her relations with White. She said he never had done so. He told her, when she told him what White had said to her she told him what white had said to her about everybody doing such things, that there might be a few people in society who did that sort of thing; as a rule it wasn't true—that there were a lot of decent people in the world. He named some of his own relatives as examples of the better sort, she said.

And did you tell him," went on Mr. "of your early struggles with "Yes, I did." Jerome "And of how you were the breadwinner of your little family?" "Yes, I did, for a time."

Here followed a few questions and answers

Mere followed a few questions and answers
—Mr. Jerome reading from the first trial's
record—which show as well as anything
that occurred the keenness with which the
mind of the witness followed that of the

Q. Did you say to him that it would not be a good thing to marry him because you had gone to a great many parties with Stanford White and a great many of the Floro-doras? A. Of the what? Q. Of the Florodoras. A. I can't answer that because it must be a mistake. I did

not say a great many of the Florodoras. That must be a misprint. Q. I am asking you the question. The question is not a misprint. A. Well, you asked all in one. If you would say "a great many of the Florodoras" I would say no,

out you put the other in with it.
Q. Well, leave out the Florodoras. you say to Thaw that it was not right to marry him because you had gone to a great many parties with Stanford White? A. Soon after that Mr. Jerome asked who introduced the witness to Thaw. She wouldn's give the name until the Justice had instructed her to do so and Mr. Littleton

had objected.,
"I do not ask that the name be given privately." he said. "But heretofore there has been a suggestion, as Mr. Jerome knows, throughout the case that unless it is necessary the names of people not otherwise involved in this matter would not be told.

That was the practice heretofore."

The Court ruled that if there was any The Court ruled that if there was any reason for asking the names they must be given publicly. Thereupon Mrs. Thaw said that a Miss Kenny introduced her to Thaw at Rector's. This was a Miss Alba Kenny, a member of the "Florodora" chorus. The witness said she didn't know Jack Barrymore then. Before she met Thaw he had sent her flowers with a \$50 bill wrapped around the stems.

Coming to the time she went to a girls' school at Pompton, N. J., Mr. Jerome asked

suddenly:
"Did you tell Mr. Thaw that you were sent there by your mother and White to break up an affair between yourself and

Jack Barrymore?"
The witness said she never told Thaw that, but she had told him that she had The witness said she never told Thaw that, but she had told him that she had met Barrymore at a dinner party at "the tower" and had gone out with him a good deal and that White got exceedingly jealous and there was a lot of trouble about it. She said she was fond of Barrymore, but by the time Thaw came to visit her when she was ill at school the thought of Barrymore had been completely effaced.

she was ill at school the thought of Barrymere had been completely effaced.

The trip abroad, she said, at Thaw's
expense and White's was first spoken
about to her by her mother. She knew
White paid her schooling expenses, but
she didn't know until afterward that he
paid part of the expenses of the trip abroad
that she and her nother took. Her mother
had the express orders of \$500 that \$250. that she and her mother took. Her mother had the express orders of \$500 that Stanford White gave them, but she didn't know it. She signed them, but Mr. White covered them up so that she didn't know what she was signing. "He did that with every paper I ever signed for him, Mr. Jerome," she added, "and my mother the same way."

Mr. Jerome here said that he should like to go n but that he was not physically in

to go on but that he was not physically in good shape. It was almost half past 5 any-how and the Court ordered an adjournment until this morning.

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